|  |                          | PTO/SB/21 (09-04 | i) |
|--|--------------------------|------------------|----|
| 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1                    | Application Number       | 10/754,445       |    |
| √ TRANSMITTAL  | Filing Date              | January 9, 2004  |    |
| ADT 1820 FORM  | First Named Inventor     | GANZ, ROBERT A.  |    |
|  | Art Unit                 | 3739             |    |
| (to be used for all correspondence after initial filing) | Examiner Name            | Unassigned       |    |
| Total Number of Pages in This Submission                 | Attorney Docket Number   | 021827-000140US  |    |
| EN   | ICLOSURES (Check all the | nat apply)       | _  |

| Total Nur                         | imber of Pages in This Submission  |          | Attorney Docket Numb   | per                    | 021827-000140US  |  |  |  |
|-----------------------------------|--|----------|--|------------------------|--|--|--|--|
|                                   | ENGLOSUES AND A TOTAL OF THE STATE OF THE ST |          |  |                        |  |  |  |  |
| ENCLOSURES (Check all that apply) |  |          |  |                        |  |  |  |  |
| Am C                              | e Transmittal Form  Fee Attached  nendment/Reply  After Final  Affidavits/declaration(s)  tension of Time Request  press Abandonment Request  ormation Disclosure Statement  |          | Drawing(s)  Licensing-related Paper Petition Petition to Convert to a Provisional Application Power of Attorney, Rev. Change of Corresponder Terminal Disclaimer Request for Refund CD, Number of CD(s)  Landscape Table | ocation<br>ence Addres | After Allowance Communication to TC  Appeal Communication to Board of Appeals and Interferences  Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)  Proprietary Information |  |  |  |
| Rep                               | Certified Copy of Priority Document(s)  Reply to Missing Parts/ Incomplete Application Reply to Missing Parts under 37 CFR 1.52 or 1.53  SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT  Firm Name Townsend and Townsend and Crew LLP  |          |  |                        |  |  |  |  |
| Signature                         |  |          |  |                        |  |  |  |  |
| Printed nam                       | me Land  |          |  |                        | <del></del>  |  |  |  |
| Date                              | James M. Heslin  |          |  | Reg. No.               | 29,541   |  |  |  |
| I hereby ce<br>envelope a         | CERTIFICATE OF TRANSMISSION/MAILING  I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.   |          |  |                        |  |  |  |  |
| Signature                         | 100  | <u> </u> |  |                        |  |  |  |  |
| Typed or p                        | printed name Tiffany Wu  |          |  |                        | Date 2 10  |  |  |  |

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:

Attorney Docket No.: 021827-000140U

Commissioner for Patents

P.O. Box 1450 Alexandria, VA 22313-1450

TOWNSEND and TOWNSEND and CREW LLP

Tiffany Wu

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Robert A. Ganz et al.

Application No.: 10/754,445

Filed: January 9, 2004

For: SYSTEM AND METHOD FOR TREATING ABNORMAL EPITHELIUM

IN AN ESOPHAGUS

Examiner: Unassigned

Art Unit: 3739

SUPPLEMENTAL INFORMATION **DISCLOSURE STATEMENT UNDER 37** 

CFR §1.97 and §1.98

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

The references cited on attached form PTO/SB/08A and PTO/SB/08B are being called to the attention of the Examiner. A copy of non-patent Cite No. 89 is enclosed. It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

**PATENT** 

Robert A. Ganz et al.

Application No.: 10/370,645

Page 2

As provided for by 37 CFR 1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

Applicant believes that <u>no fee is required</u> for submission of this statement.

However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,

James M. Heslin Reg. No. 29,541

TOWNSEND and TOWNSEND and CREW LLP Two Embarcadero Center, 8<sup>th</sup> Floor San Francisco, California 94111-3834

Tel: 650-326-2400 Fax: 650-326-2422

JMH:bjl 60410848 v1 INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet

|                        | Complete if Known     |
|------------------------|-----------------------|
| Application Number     | 10/754,445            |
| Filing Date            | January 9, 2004       |
| First Named Inventor   | Robert A. Ganz et al. |
| Art Unit               | 3739                  |
| Examiner Name          | Unassigned            |
| Attorney Docket Number | 021827-000140US       |

|                       |              |  | U.S. PATENT DO                 | CUMENTS+   |   |
|-----------------------|--------------|--|--------------------------------|--|---|
|                       |              | Document Number                          |                                |  |   |
| Examiner<br>Initials* | Cite<br>No.1 | Number Kind Code <sup>2</sup> (if known) | Publication Date<br>MM-DD-YYYY | Name of Patentee or<br>Applicant of Cited Document | Pages, Columns, Lines, Where<br>Relevant Passages or Relevant<br>Figures Appear |
|                       | 1            | US-6,547,787 B1                          | 04/2003                        | Altman et al.                                      |   |
|                       |              |  |                                |  |   |

| FOREIGN PATENT DOCUMENTS |              |                           |                     |                                   |                              |   |  |                |
|--------------------------|--------------|---------------------------|---------------------|-----------------------------------|------------------------------|---|--|----------------|
| Examiner<br>Initials*    | Cite<br>No.1 |                           | eign Patent Do      |                                   | Publication Date MM-DD- YYYY | Name of Patentee or<br>Applicant of Cited<br>Document | Pages, Columns, Lines,<br>Where Relevant<br>Passages or Relevant | T <sup>6</sup> |
|                          |              | Country Code <sup>3</sup> | Number <sup>4</sup> | Kind Code <sup>5</sup> (if known) | 1111                         | Document  | Figures Appear   |                |

| Examiner<br>Signature | Date<br>Considered |  |
|-----------------------|--------------------|--|

| Substitute for form 1449B/PTO |                |                      | Complete if Known     |                        |                 |  |
|-------------------------------|----------------|----------------------|-----------------------|------------------------|-----------------|--|
| 111505                        |                | DIO                  | OL OCUPE              | Application Number     | 10/754,445      |  |
| INFORMATION DISCLOSURE        |                |                      |                       | Filing Date            | Janaury 9, 2003 |  |
| STATEMENT BY APPLICANT        |                | First Named Inventor | Robert A. Ganz et al. |                        |                 |  |
|                               |                |                      |                       | Art Unit               | 3739            |  |
| (u                            | se as many she | ets as               | necessary)            | Examiner Name          | Unassigned      |  |
| Sheet                         | 2              | of                   | 2                     | Attorney Docket Number | 021827-000140US |  |

| NON PATENT LITERATURE DOCUMENTS |              |   |    |  |  |  |
|---------------------------------|--------------|---|----|--|--|--|
| Examiner Initials *             | Cite<br>No.1 | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T² |  |  |  |
|                                 | 2            | Salameh, Fadi, et al., "An animal model study to clarify and investigate endoscopic tissue coagulation by using a new monopolar device" Gastrointestinal Endoscopy (@2004) 59(1):107-112.   |    |  |  |  |
|                                 |              |   |    |  |  |  |
|                                 |              |   |    |  |  |  |
|                                 |              |   |    |  |  |  |
|                                 |              |   |    |  |  |  |
|                                 |              |   |    |  |  |  |
|                                 |              |   |    |  |  |  |
|                                 |              |   |    |  |  |  |
|                                 |              |   |    |  |  |  |
|                                 |              |   |    |  |  |  |
|                                 |              |   |    |  |  |  |

60410848 v1

| Examiner  | Date       |  |
|-----------|------------|--|
| Signature | Considered |  |

<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached.